

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LEE ANN ALICIA MERCHANT,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Case No: C 12-01644 SBA


**ORDER TO SHOW CAUSE RE
DISMISSAL**

The Court's Procedural Order for Social Security Review Actions requires the plaintiff to file and serve a motion for summary judgment or remand within 28 days after service of defendant's answer. Dkt. 2. Defendant filed his answer on October 15, 2012, meaning that plaintiff's motion was due by November 14, 2012. Dkt. 14. To date, no motion has been filed. The failure to comply with a court order is grounds for dismissal of this action under Federal Rule of Civil Procedure 41(b). See Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992). Accordingly,

IT IS HEREBY ORDERED THAT by no later than September 20, 2013, Plaintiff shall file and serve a written memorandum which explains her failure to comply with the Court's order to file a motion for summary judgment or remand by November 28, 2012. FAILURE TO TIME FILE A RESPONSE TO THIS ORDER WILL BE DEEMED SUFFICIENT GROUNDS TO DISMISS THE ACTION, WITHOUT FURTHER NOTICE.

IT IS SO ORDERED.

Dated: September 12, 2013


SAUNDRA BROWN ARMSTRONG
United States District Judge